

### Immobilisation, restricted spatial mobility and displacement in violent conflict: Humanitarian needs of confined communities in Colombia

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# **Immobilisation, restricted spatial mobility and displacement in violent conflict**

**Humanitarian needs of confined communities in Colombia**

**Markus Rudolf \ BICC**

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## SUMMARY

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Putting the humanitarian-development nexus into practice, aid organisations and donors pay most attention to camp populations in protracted refugee situations (PRS). This *Paper* argues that synergies arise when development aid redefines and expands the area of humanitarian needs regarding developmental objectives and instruments rather than bolstering the mainstream activities of humanitarian actors. Drawing on the case of Colombia, the argument of this *Paper* is threefold: First, it shows how the conditions to qualify refugees and IDPs as aid recipients must be extended to include forcibly immobilised persons. The *Paper* understands ‘forcibly immobilised persons’ as individuals who are forced to stay in the same place for lack of alternatives or constraints on their movement (e.g. through armed groups). Strikingly, forcibly immobilised persons have so far usually been overlooked as persons in need, although they face similar hardships as refugees and internally displaced persons (IDPs). This is why this *Paper* proposes to replace the classical concept of spatial displacement with a model of displacement that includes both *in situ* immobilised persons (on the spot) and *ex situ* immobilised persons (immobilised after initial spatial movement). Second, the *Paper* argues that individual needs, such as the need for protection, rather than circumstances, should be decisive for aid eligibility. Whether a situation is categorised as “war”, for instance, is a highly politicised question and hence not a reliable indicator—whereas a needs-based approach is. Third, the *Paper* draws on an in-depth analysis of confined communities in Colombia to show that forcibly immobilised persons—like IDPs and refugees—often require humanitarian and development aid, thus showing clear examples for how the nexus could work—as it already does in part. Overall, this *Paper* thus proposes a reconceptualisation of the humanitarian-development nexus to ensure a more targeted reach for persons in need.

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*Markus Rudolf*

## Main findings

### **Aid must be designed in a longer-term and more holistic fashion that follows the needs and the people in need**

Due to the protracted character of humanitarian emergencies, needs become overwhelming and too diverse for the traditional division of labour between humanitarian and development actors.

### **A model of displacement that includes both in situ immobilised persons (on the spot) and ex situ immobilised persons (immobilised after initial movement in space) enables aid to assess and address needs more effectively**

Synergies of a humanitarian-development nexus policy arise where development aid redefines and expands humanitarian emergency situations regarding objectives and instruments and where it complements activities of humanitarian actors instead of bolstering them.

### **The degree of emergency needs to be assessed referring to needs and losses and not to movements**

In contrast to voluntary migration, involuntary immobility is always characterised by a lack of choice. Lack of choice, involuntariness and the resulting lack of perspective are, in fact, the very characteristics that define and determine a humanitarian emergency situation.

### **The rights to property, personal security and human rights are severely restricted in confined communities**

A much wider range of persons who live in zones that are claimed by armed actors is affected. The degree to which people are affected by immobility range from physical violence or threats to less immediately life-threatening yet no less vital issues, like being denied access to infrastructure which affect individuals in different ways.

### **Practitioners on the ground are increasingly cooperating as envisioned in the humanitarian-development nexus policy and are engaging in innovative projects that transcend their respective traditional mandates**

Obstacles to cooperation and innovations are rather situated at the political or institutional level.



## Introduction: Forcibly immobilised persons— Out of sight, out of mind?

In contrast to other poorer districts of Cali in western Colombia, Potrero Grande owns a school, a police station, a community centre and a park. Loitering men watch over invisible borders as scouts at strategic points. Maria is barely 40 years old and the mother of six children. The family lives in a narrow terraced house with two floors. In 2000, Maria and her four eldest children were expelled from a village in Cauca, about 150 km away. To this day, there is no chance of returning: “We can’t go back because the guerrillas grow coca [there]”. After escaping, the family first settled in an illegally built slum in Cali where criminality was high, landslides common, and where the children could not move freely, “...otherwise they would have killed them”. In comparison, the situation in Potrero is better, as Maria reports

*We are fine here. But on the other hand, there is also a lot of violence here. [Yet] my children don’t bother anyone. We are silent because of the absence of the state. You get used to it—even the children. We try to avoid problems and not be treated like gallinas [chickens]. We don’t talk to the police [about what happens].*

Maria’s situation is representative of that of the residents of Potrero Grande who stand between the fronts of gangs, criminals, guerrillas, and the police. Their vulnerability is reinforced by the experience that no one is called to account for the violence they spread. Potrero was meant to become a showcase urban project, yet at the time of writing, nearly all organisations have left, apart from the Red Cross whose staff whenever they enter the suburb, are to wear their bright coloured vests just like in a war zone. The public transport system in the suburb and the centre are separated: Pick up vans operate in the outskirts, taxis in the centre. Strangers hardly ever make it to Potrero. Even though it is a suburb, the neighbourhood is very much cut off from the centre. Its residents are confined within their area by invisible borders.

Driving up the San Juan River, in Choco province, I get a similar impression: Transport is private, irregular and only possible via water. Boats leave from the main bridge close to the central cathedral of the local capital Istmina. The pier is public, but only those who

know someone at the destination get on board of one of the private vessels, as the realm of the central government ends after a few bends down the stream. Only sporadic hamlets on the river bank interrupt the otherwise dense jungle. The obviously underdeveloped rural area is home to the guerrilla movement ELN (Ejército de Liberación Nacional). The presence of this now largest remaining guerrilla group is indisputable and de facto unbroken. Visitors are reminded not to take pictures of or stare at supposed ‘civilians’, as some belong to the ELN. The persons pointed out go about their everyday activities such as loading barrels of petrol onto fast vessels and are not distinguishable from the civilians surrounding them.

After passing a few hamlets consisting of wooden huts right on the shore, I reach Primavera, one of the older and larger communities on the San Juan River. The village has a school, which has partly been demolished by the stream’s current, a muddy central square with broken boats, repair shops. Fishermen are repairing their nets. Walking through the farms, Felix, a community leader of the Afro-Colombian community in the area, tells me his life story:

*I planned to escape the local violence caused by armed groups by going from Choco to Medellin. But once I arrived in Medellin, I saw that there were too many murders. I then went to Cali. There were also murders there, but not so many. From Cali, I moved on to Narino where I found a job picking coca. In the end, I came back. Now I stay where I am [back in Primavera] with my youngest daughter (Primavera, November 2017).*

Being a coca picker meant that he ended up in an area that was controlled by armed groups, which shows his lack of alternatives, which are, in turn, due to economic constraints.<sup>1</sup>

<sup>1</sup> \ Felix specifies these economic problems: “In the city, everything costs something. It is hard and difficult. If you have a lot of children, they raise the rent. In the country [on the other hand] there is always something”. Still, two other children now go to school in Medellin.



His story mirrors the situation of the majority of those who live in the area. Many declare that they see no possibility to escape the situation: "Where should we go? What should we do there? It is already difficult enough to make ends meet here", explains a family of small farmers in one of the tiny villages along the river (San Juan River, November 2017). In a group discussion with villagers of another hamlet along the San Juan River, they complain that they feel abandoned by the state: "No help comes here. No matter what happens - [we get nothing here]. They [the authorities] are in Istmina. Only yesterday there was a raid. But they won't get out [of the city]".

## Immobilisation as an emergency

Though Primavera and Potrero Grande differ in many regards—a rural vs an urban setting, a peripheral vs central province, home to the biggest remaining guerrilla group vs an economic hub with a declining homicide rate, these cases feature similar vulnerabilities and needs of people in armed conflict. Humanitarian and development actors regard both examples as emergency cases (Internal Displacement Monitoring Centre [IDMC], 2019; Norwegian Refugee Council, 2018; UN Office for the Coordination of Humanitarian Affairs [OCHA], 2019b, 2019a; Refugees International, 2006; United Nations, 2018). Yet both receive little attention (and funds)<sup>2</sup> from politicians or donors on the national or international level. When it was founded, the suburb Potrero in urban Cali was a development project, meant to be a model of social integration for vulnerable people in a city that has seen a declining but still high rate of homicides (Noti5, 2019). This example from a rural red (high-risk) zone in the peripheral Choco region on the Pacific coast, which is often regarded as the most neglected part of Colombia (Small Arms Survey [SAS], 2016), shows how underdeveloped regions often offer ideal conditions for armed groups and, hence, feature a high number of humanitarian emergencies.

<sup>2</sup> \ OCHA indicated that the combination of a lack of funds and an increased number of persons in need was "...deteriorating the response capacity for emergency situations in Colombia" (OCHA, 2019b, p. 30).

The examples illustrate how economic and security concerns, humanitarian and development issues overlap. Like in Primavera, armed groups are mostly found in regions that are relatively underdeveloped—namely Choco, Guajira, Nariño, Meta, Guaviare. Besides Potrero, humanitarian and development problems also coincide in urban centres like Cucuta, Bogota, Medellin, Cali, Buenaventura or Tumaco. The cases, thus, point to a more general question: In the face of overlaps in regard to emergency needs in armed conflicts, how can development aid and humanitarian aid complement each other in assisting affected persons? This *Paper* offers insights into trapped or confined communities in Colombia<sup>3</sup>, which, as I argue, find themselves in largely unnoticed emergencies despite significant needs for humanitarian aid—while at the same representing a prime example of how the humanitarian-development nexus could function when both fields of aid are combined.

As I will show in the following, the situation within confined communities, in general, illustrates significant needs for humanitarian and development aid, which are in many ways similar to the needs of populations that live in conditions conventionally categorised as displacement crises (i.e. refugees and IDPs).<sup>4</sup> After the Introduction, I will present the methodology used for this research. I will then explain why it makes sense to include forcibly immobilised persons in the category of displaced persons. Being

<sup>3</sup> \ Trapped communities is the terminology used in most literature, while confined communities (*comunidades confinadas*) is used in Colombia. Due to the fact that the causes, forms and courses of their situation largely resembles the situation of displaced persons this group is also referred to as persons that are displaced in place (Magaramombe, 2010). To avoid switching terms the text will follow the Colombian usage hereafter, unless paraphrasing articles or specifically making a point about similarities to displaced persons.

<sup>4</sup> \ I define forced displacement and expulsion as involuntary migratory movements from the place of origin to a destination. I define displaced persons as all persons who flee from their country or region of origin or habitual residence, regardless of their ascribed status (asylum seeker, refugee, IDP, stateless person, migrant, irregular, illegal, person of concern, etc.) and who are not able to return for reasons of persecution, armed conflict, civil unrest, or natural or man-made catastrophes. The term refugee is used to refer to displaced persons who are entitled to refugee protection - an internationally agreed legal status resulting from fleeing across an international border. The term internally displaced persons (IDPs), on the other hand, narrows down the group of displaced persons who have not fled across national borders (see BICC Working Definitions: Protected rather than protracted -Strengthening refugees and peace project, unpublished, 2016).

aware of the inherent contradiction when speaking about an immobilised displaced person *in situ*—that is before or without displacement, I analyse the empirical reality in Colombia to illustrate my point. I argue that the humanitarian and development instruments devised to meet the needs of refugees or IDPs also suit immobilised persons. A differentiated analysis of degrees of immobilisation and coercion indicates that eligibility for aid should rather be determined by the needs of individual recipients than the question of whether a person has been forced to flee or not. Examining the restrictions and lack of protection of confined communities, I propose to shift the indicators for aid needs instead of revising reliable instruments and strategies. The needs in question are twofold: Protection from human rights violations and assistance for victims of human rights violations. Consequently, I conclude that the assistance needs in confined communities demonstrate the relevance and benefits of the humanitarian-development nexus, with development aid working both preventively and on a longer-term basis.

## Research methodology

This *Paper* is based on extensive anthropological fieldwork carried out in Colombia (see Map 1). Taking a qualitative mixed-methods approach, a team, consisting of the author and five local assistants, conducted qualitative narrative interviews, combined with on-the-spot observations, focus group discussions and workshops with a choice of relevant stakeholders. Research addressed displaced persons, members of the host communities, experts, international humanitarian and development actors, local civil society organisations and political organisations. The samples of displaced persons and the host community took diversity, gender, age, national and ethnic identities as well as respective locally important markers into account.

Most of the observations were made and interviews were conducted in rural and urban areas and/or demobilisation camps (*zonas veredales*), with victims, displaced persons, hosts and former combatants (see Map 1). The research strove for in-depth and

**Map 1**  
**Research sites in Colombia**



longitudinal research applying social-anthropological methods. It was carried out in 2017 and 2018.<sup>5</sup> In dialogue with local experts, locations and target groups were continuously refined. The approach followed a systematic serendipity routine to collect and process additional information.<sup>6</sup> This form of participative and dialogical research, thus, provides representative ideal typical cases without claiming statistical representativeness.

5 \ The biggest part of cases presented in this *Paper* is based on observations from May to June respectively October to December 2017. Special thanks go to the assistants Rodrigo Alejandro Paredes, Leidy Karina Sabogal Ospina, Lina Marcela Gomez Nunez, Javier Chiran and Robeiro Mesa Camayo who independently carried out complementary research in Cartagena, Soacha, Cali and partly in the respective hinterlands from 2017 until 2018.

6 \ To systematically include serendipity into our research methods meant to allow for coincidences not only to happen but to follow the opportunities opened by them routinely. In contrast to random sample methods, this means that we talked to the neighbours that were present next to the house selected by random choice (flipping pen method, random number) instead of the targeted house as the method would strictly demand.

## Conceptualising a needs-based nexus policy

This *Paper* proposes a re-conceptualisation of the humanitarian-development nexus. It argues that valuable synergies between both fields of aid can be achieved on a wider scale than presently acknowledged. It thus offers concrete conceptual steps towards further operationalising the nexus, which go beyond the abstract notion that the

*...[humanitarian-development] nexus represents an opportunity to engage with [...] root causes ... [recognising] that humanitarian crises can be caused and/or heightened by poor development policies and a lack of inclusive and appropriate development investment, (Fanning & Fullwood-Thomas, 2019, p. 6).*

### Synergies or contradictions?

The humanitarian-development nexus policy aims to find synergies between development and humanitarian actors. In principle, numerous humanitarian and development organisations advocate the idea that there are potential synergies in jointly and holistically addressing emergency needs (Fanning & Fullwood-Thomas, 2019; International Committee of the Red Cross [ICRC], 2018). They argue that needs become overwhelming and too diverse for the traditional division of labour between humanitarian and development actors, due to the protraction of emergencies.<sup>7</sup> NGOs like Oxfam pledge to see this nexus as a chance to overcome the shortcoming of humanitarian aid in only addressing “symptoms of underlying issues that reflect broader inequalities and injustices”

(Fanning & Fullwood-Thomas, 2019, p. 6). The International Committee for the Red Cross (ICRC) also argues that development aid is needed to enlarge and complement humanitarian aid (ICRC, 2018).<sup>8</sup>

Development actors like the World Bank promote the humanitarian-development nexus concept as an approach without alternatives as they predict a growing role of conflict as the major obstacle to development.<sup>9</sup> Both converge in the notion that development aid encompasses humanitarian aid, yet that both address the same basic needs when responding to emergencies.

Other voices, such as Médecins Sans Frontières (MSF) see more fundamental reasons why it remains hard to implement the nexus policy so far and why it might be a better idea to not cooperate with development organisations. The organisation voiced its opposition when it pulled out of the World Humanitarian Summit platform with a letter in which it warned against the risk of an “...incorporation of humanitarian assistance into a broader development and resilience agenda” (MSF, 2016). This argument is based on the notion that it might be impossible to remain neutral when cooperating too closely with states.<sup>10</sup> Those critics who see irreconcilable differences focus on the fact that development aid is often used as an extension of foreign policy (MSF, 2016.), although they acknowledge that humanitarian aid is not immune to suffering the same fate (MSF, 2016). To underline that humanitarian aid is not immune to this risk makes sense against the backdrop that there is no unanimous practice of humanitarian aid in the first place:

7 \ Referring to the UN High Commissioner for Refugees (UNHCR) and the Council of the European Union, ICRC points at the increasing number of displaced people to illustrate the necessity of cooperation: “With more than 68.5 million people worldwide forcibly displaced by conflict, violence, or human rights violations, and 130 million reliant on humanitarian assistance, the humanitarian system requires additional support to address needs of such magnitude and diversity” (ICRC, 2018, p. 3).

8 \ ICRC nevertheless argues that: “Humanitarian aid must be provided solely on the basis of the needs of the affected population and fall beyond the scope of political, strategic, military, or economic pressures, in line with the 2007 European Consensus on Humanitarian Aid” (ICRC, 2018, p. 7).

9 \ The World Bank points out that conflict has a crucial impact on development: “Fragility, conflict, and violence (FCV) is a critical development challenge that threatens efforts to end extreme poverty, affecting both low- and middle-income countries. By 2030, FCV countries will be home to 46% of the world’s extreme poor. Conflicts also drive 80% of all humanitarian needs and reduce gross domestic product (GDP) growth by two percentage points per year, on average” (World Bank Group, 2019).

10 \ Such critical voices point out that the (double or triple) nexus bears the risk of downplaying the importance of protection in cooperating with states unwilling to grant human rights and to be drawn into politics instead (Fanning & Fullwood-Thomas, 2019, pp. 34–37).

There are numerous private, non-government, government and inter-government bodies that are as diverse in their interpretation of humanitarian (respectively development) ideals as the backgrounds they come from.<sup>11</sup>

Anderson (1999) observed that aid can never be completely neutral and thereby underlined that it is always a part of politics. The reservations of MSF and Anderson indicate that humanitarian and development aid need to be aware of the political context they are acting in. In obvious cases, a state is actively displacing persons and violating human rights. On a much more subtle level, as I will argue in the following, this also already affects the politics and policies of categorising and designating aid to regions and beneficiaries. These politics inevitably require actors to position themselves. According to the humanitarian principles “...aid should minimize and relieve the suffering of people affected by crises, save lives, maintain human dignity and increase community resilience for future disasters, wherever it is needed” (Fanning & Fullwood-Thomas, 2019, p. 8).

## Normative and descriptive categories

Although these principles are straightforward, the question when to act and when not to engage is a prominent debate in development and humanitarian aid. This is especially true as previously neatly separated situations such as war and peace increasingly overlap in more and more protracted or cyclical conflicts. Much less attention is given to the questions

of labelling emergencies, on categorising crises or deciding on beneficiaries—although these labels are decisive for aid organisations to identify who is eligible for aid and who is not (Rudolf, 2019b). Humanitarian and development aid that invoke humanitarian principles to justify their mission often trigger exclusive practices in reifying generalised categories rather than dismantling them. Wrong conceptualisations might obstruct the efficiency of aid.<sup>12</sup> This *Paper* illustrates this point in arguing that the suffering of people who live in confined communities is systematically overlooked.

Why have confined communities so far been largely neglected as persons in need? Among the displaced, refugees are the group that are internationally most visible, and who, from a legal perspective, have arguably the strongest rights: “Being a refugee, in other words, means being a person who deserves protection and being a person who can, in practical terms, be guaranteed the substitute or surrogate protection of the international community” (Hathaway, 2007, p. 353). Putting such rights into practice, UNHCR is the most well-funded and largest organisation active in displacement crises. They extended their mandate to also provide protection and assistance for IDPs, stateless persons and so-called people of concern.<sup>13</sup> However, so far immobilised groups have not

11 \ This *Paper* focuses on a political-practitioners-humanitarian debate.

Even though it mentions peace, this debate is more about the double (humanitarian-development) than the triple (-peace) nexus. It is worth noting that there is another, more academic, debate in which the relation of humanitarianism with peace and military interventions is discussed. As regards the fact that most military interventions of the Western world since the end of the Cold War have been labelled humanitarian interventions, it seems legitimate to ask whether the real divide is less between humanitarian and development aid but rather between humanitarian aid and humanitarian government (Agier, 2010, 2011; Nyers, 2013; Verdirame, Harrell-Bond, Barbara, & Sachs, 2005) or between humanitarian aid and peacebuilding (Calhoun, 2010; Meininghaus, 2016; Schetter & Prinz, 2019; Walters, 2010).

12 \ Recent articles also highlight the pitfalls of commissioned academic research that, from the beginning, is meant to comply with the demand to be policy relevant (Guevara & Kostic, 2017; Kauppi, 2014). A considerable part of research aims at guiding policy, but ends up being policy-guided. Bakewell, thus, explicitly asks to do “Research Beyond the Categories” stressing “The Importance of Policy Irrelevant Research” and suggests “...that this reliance of academic researchers on policy categories tends to obscure and render invisible some population groups, causal relationships, and questions that are methodologically difficult to capture” (2008, p. 433).

13 \ This extension has been criticised as turning UNHCR into the world’s largest welfare organisation (Hathaway, 2007, p. 357). In countries like Colombia, many functions are actually taken over by OCHA, which is the coordinating body for humanitarian affairs. In line with most of the literature, I will refer mostly to UNHCR in the conceptual part of the *Paper*, but to OCHA when talking about statistics and reports on Colombia.

been included in their mandate. The UNHCR definition of persons who are under threat and entitled to aid clearly regards spatial movement as the principal condition for a person to qualify as an aid recipient.<sup>14</sup>

In addition to this legal dimension, the unparalleled role of UNHCR in this field compounds this focus on refugee situations in its allocation of funds, and UNHCR holds a vested interest in a near-monopoly on emergency relief for refugees. UNHCR's framing is often mirrored by other NGOs. At the same time, it holds significant power in shaping wider international aid policy. UNHCR politically negotiates the refugee convention with signatories (and non-signatories) while also managing and coordinating aid for millions of persons under its mandate. UNHCR thus strongly influences the entire process of implementing and executing aid programmes for displaced persons. To complement and not just bolster humanitarian work, development aid actors, hence, have the two tasks of positioning themselves towards UNHCR's politics and policies and to identify their own role regarding emergency needs in situations of forced displacement.

In sum, contrary to governments or organisations like UNHCR (incl. subordinated actors) that have continuously correlated needs of persons affected by displacement with spatial movement, forced displacement is not homogenous, and non-movement represents an important category to consider.

As I will show next, forced immobility can de facto also represent a form of forced displacement, and the causes and impacts of both, for instance through armed conflict and violation of human dignity, are often similar—whether or not individuals cross an international border or not even the boundaries of a municipality. For the time being, it is up to actors other than UNHCR to support confined communities and other persons with similar needs that are excluded from aid due to their immobility.<sup>15</sup>

14 \ According to UNHCR's definition, refugees are individuals recognised under the 1951 Refugee Convention relating to the status of refugees, its 1967 Protocol, the 1969 Organization of African Unity (OAU) Convention Governing the specific Aspects of refugee Problems in Africa, those recognised in accordance with the UNHCR statute, individuals granted complementary forms of protection, ('Complementary protection' refers to protection provided under national, regional or international law to persons who do not qualify for protection under refugee law instruments but are in need of international protection because they are at risk of serious harm) and those enjoying temporary protection. ('Temporary protection' refers to arrangements developed to offer protection of a temporary nature, either until the situation in the country of origin improves and allows for a safe and dignified return or until individual refugee or complementary protection status determination can be carried out.) The refugee population also includes persons in refugee-like situations. (This term is descriptive in nature. It includes groups of persons who are outside their country or territory of origin and who face protection risks similar to refugees but for whom refugee status has, for practical or other reasons, not been ascertained.)

15 \ "The increasingly protracted and recurrent nature of crises means that there is a greater range of overlapping and compounding needs and rising uncertainty within contexts. ... A more joined-up approach would offer opportunities to respond more effectively and holistically to people's needs. To reflect this understanding, the concept of a 'humanitarian-development nexus', or a 'humanitarian-development-peace nexus' has developed". (Fanning & Fullwood-Thomas, 2019, p. 6). In other words: Longer-term development aid should ideally complement short-term humanitarian relief in longer, more volatile and multifaceted emergencies. UNHCR's number are not consistent, but within this range (see <http://www.unhcr.org/sy/internally-displaced-people>; <http://www.unhcr.org/syria-emergency.html>; <http://www.unhcr.org/sy/summary-of-unhcr-syria-idp-operations>). IDMC counts 6.8 million (<http://www.internal-displacement.org/countries/syria>).



## Colombia: Assessing an ambivalent peace

A close analysis of daily life within confined communities in Colombia illustrates how their needs for humanitarian and development aid can, in fact, be considerable. Even though these territories are not characterised as areas of violent conflict or war and their populations do not fit conventionally acknowledged displacement categories, they experience persistent violence. Although the major conflict in Colombia, Latin America's longest-lasting civil war, ended with a Peace Treaty in 2016, peace has not reached the entire territory of Colombia.

Colombia's prospects for peace, which now appear to have been achieved, long seemed slim. Since 1964, the conflict had once produced the world's highest number of hostages—with a peak of 3,572 in 2000 (Gurney, 2015). It had the highest international average of murders per 100,000 inhabitants between 1985 and 2005 (Roser & Ritchie, 2019) and internally displaced persons—in 2017, between 6.5 (IDMC, 2018) and 7.7 million (UNHCR, 2015). The spread of drug cartels and other armed groups (see below), the number of refugees in neighbouring countries and the number of internally displaced persons is exceeding the respective Syrian numbers to-date (6.2–6.8 million, depending on the source<sup>16</sup>).

When a peace treaty was adopted in 2016, the country's negative image abroad improved (Ioris & Ioris, 2018; Mendes, Siman, & Fernandez, 2019). Once perceived as a centre of criminal networks and a cradle of excessive violence, Colombia now appeared as a source of stability in the region (Maldonado, 2017). But neither the undifferentiated portrayal as an exclusive civil war country or the image of a country in peace nor the policies that are based on such generalisations did justice to Colombia's complex reality. It is true, the Peace Treaty led to an improvement in important indicators: The number of murders in 2017 was the lowest in 42 years; kidnappings declined by 20 per cent in 2000; threats fell by 32 per cent nationwide; extortion fell by 43 per cent and terrorism by

52 per cent. Moreover, an increase in investment—referred to as the Colombian miracle—has almost tripled the per capita income since 2000. It rose from US \$5,805 to US \$14,810, which meant that 4.6 million people crossed the poverty line between 2010 and 2016 (Gomez Buendia, 2018).

However, several indicators qualify the positive picture. As a signatory of the Peace Treaty, the oppositional FARC (Fuerzas Armadas Revolucionarias de Colombia) was only one of several guerrilla groups. Other guerrillas, of which the ELN (Ejército de Liberación Nacional) is the best known, are still active. Since the Peace Treaty was signed and the FARC was demobilised, dozens of its former members have been killed, and the number of dissidents has meanwhile increased noticeably. Also, since 2016, around 400 community leaders and human rights defenders have been systematically killed. Very few of these cases have been solved (Diaz & Jimenez, 2018; Semana, 2019b). Political murders are still rampant. Various studies, therefore, question the official statistics on violence. They argue that the dramatic decline is due in part to a combination of changes in data collection<sup>17</sup> and the transformation of more visible forms of violence into less visible and less detectable methods such as blackmail or threats (Gomez Buendia, 2018).<sup>18</sup>

Other developments are at least ambivalent. The visibility of criminal organisations has declined. Paramilitaries no longer appear officially and therefore no longer claim parastatal legitimacy. Yet, the territorial spread and control of transport corridors by non-state armed groups has increased. Various organised armed groups have entered areas that opened up due

16 \ UNHCR's number are not consistent, but within this range (see <http://www.unhcr.org/sy/internally-displaced-people>; <http://www.unhcr.org/syria-emergency.html>; <http://www.unhcr.org/sy/summary-of-unhcr-syria-idp-operations>). IDMC counts 6.8 million (<http://www.internal-displacement.org/countries/syria>).

17 \ To assess the level of everyday exposure to violence, the methodology behind the statistics needs to be taken into account. In parallel to the general fall of abductions under the regime of President Uribe in Colombia, the number of threats rose. This was due to the changed practice of the police to register an abduction that lasted less than 48h—for instance to withdraw money from an ATM repeatedly (known as the millionaires' ride)—as a threat instead of an abduction. Some analysts, therefore, estimate that the number of threats in general quadrupled during the all-time low of abductions: "Whereas the official figures show a total of 9,382 kidnapping victims during Uribe's eight years in office, the commission found 15,537—meaning that nearly forty percent of victims were not included in the official figures. ... While the police reported 282 kidnappings in 2010, the National Center for Historic Memory counted 1,252" (Gurney, 2015).

18 \ This view was expressed in various interviews with experts and actors in 2017, both in urban and rural zones.

to the withdrawal of the FARC and the reluctance of the Colombian Army to replace their control (Burbano, 2018; Rojas Hernandez, 2018). The lack of effective state structures in isolated areas on the Pacific coast and in border regions led to a significant increase in cocaine production and the territorial spread of criminal organisations (Fundacion Ideas para la Paz, 2018; Semana, 2018). Despite the Peace Treaty, there are still areas where the Colombian state does not manage to enforce its power.<sup>19</sup> Taking together, these facts suggest a qualitative and spatial shift of extra-legal forms of violence that continue to exist outside the state monopoly of violence after the Peace Treaty between the government and the FARC in Havana in 2016.

## Forced displacement after the Peace Treaty

Even if generalisations cannot do justice to Colombia's diversity, some historical commonalities must be taken into account:<sup>20</sup> The practice of violent appropriation and expulsion through colonisation has a centuries-old history.<sup>21</sup> Historical practice has led to a dynamic of mutually reinforcing deterrence strategies of violence, which persist and orientate the behaviours or actors up to this day. This can be seen in *mano dura* politics on the political level and *gallina* ideology on a personal level.<sup>22</sup> Times of peace in Colombia have been interruptions rather than settlements of conflicts. The spectrum of peace has been ranging from ceasefires between the conflicting parties (at best) to the winner's regime of terror (at worst)—perpetrators were virtually never held to account.

The Peace Treaty nevertheless addresses the last point in particular. The Jurisdicción Especial para la Paz (JEP), a Special Jurisdiction for Peace, is set out to hold perpetrators from the military, paramilitary and guerilla to account. So far, it has been effective (Semana, 2019d), but its long-term success remains to be seen. As the causes of forced displacement such as dispossession, poverty, exposure to violence and missing prosecution are only partially addressed,<sup>23</sup> it would be inappropriate to regard the Treaty as sufficient for lasting solutions, reintegration and a sustained reduction in the number of victims.<sup>24</sup> The persistently high number of 5.1 million people in need in humanitarian situations (OCHA, 2019b, p. 2) indicates that large parts of the population require protection and aid—just as before the agreement. Two phenomena make clear that the extent of the need is even greater than officially announced figures suggest: Urban displacement and the immobilisation of groups.

According to recent numbers, it is evident that the Peace Treaty did not result in less displacement or violence. Since 2017, numbers have risen again (Cobb, 2019) and registered displaced persons increased by 66 per cent (OCHA, 2019b). The number of community leaders killed doubled in 2018 compared to 2016/17 (Valenzuela, 2019). Figure 1 shows the number of persons officially registered as confined persons by the government agency UARIV (Unidad para la Atención y la Reparación Integral a las Víctimas). Yet, these numbers are to be taken with a grain of salt. OCHA, for example, counts nearly four million people in situations characterised by “...movement limitations during certain hours and in specific areas, restrictions on access to goods and services as well as livelihoods and access to fundamental rights” (OCHA, 2019b, p. 15).

19 \ The fact that senior leaders have recently joined dissident groups does not yet put the process as a whole into question but indicates that the success is limited and that armed groups are still very much active (Janetsky, 2019; Semana, 2019a).

20 \ The current conflict can be traced back to the Bogotazo in the 1940s or even be seen as a continuous civil war dating back to the 19th century (Hörtner, 2006; Jenss, 2016; König, 2008).

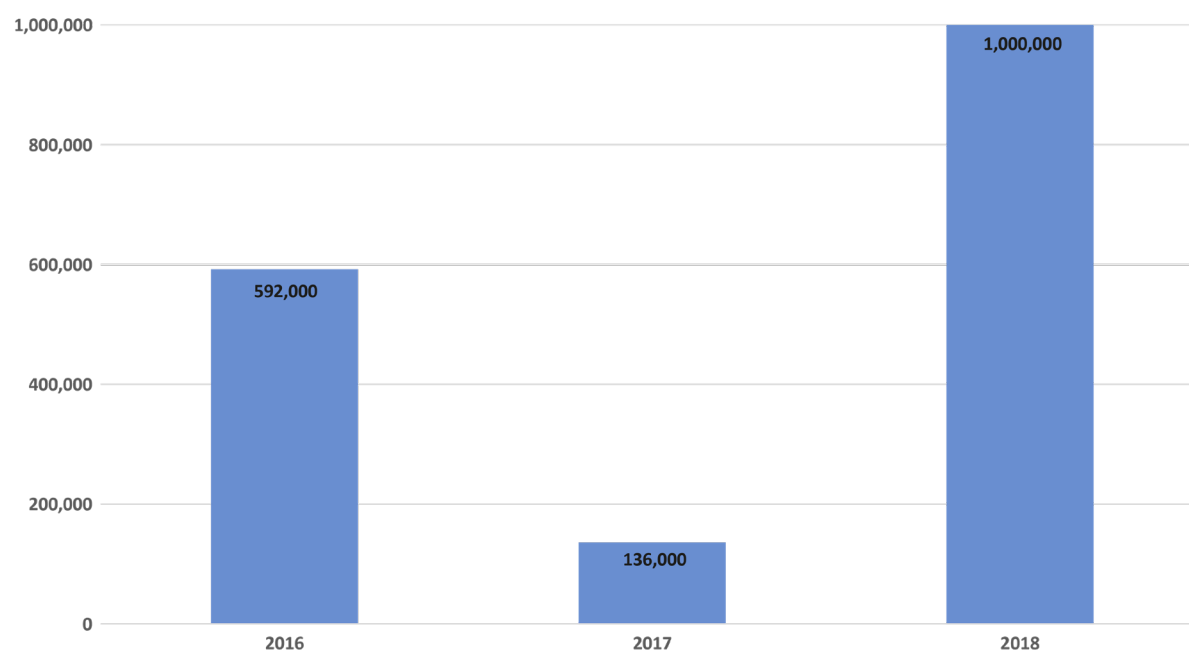
21 \ A study of Vergara-Figueroa (2017) scrutinises the continuous resistance of Afro-Colombians against the historical practice of expulsion.

22 \ ‘*Mano dura*’ [hard hand] refers to politics of the iron fist comparable to the US law and order narrative. It is most known for the case of El Salvador after 2003 (D'Aubuisson, 2017; Does, 2013; Hume, 2007). ‘*Gallina*’ [chicken], cf. quote above, refers to a mix of being a coward and an easy target (cf. footnote 39 on ‘*dar papaya*’).

23 \ In retrospect, negotiators and guarantors gave too little attention to historical continuity and the actual level of implementation while the belief in political declarations of intent was too strong. As a result, expectations of the agreement as a whole were too high (Davalos, Morales, Holmes & Davalos, 2018; Mendes, Siman & Fernandez, 2019).

24 \ The official figure in September 2019 was 8,874,110 victims (Alsema, 2018; RUV, 2019).

**Figure 1**  
**Confined persons**



©BICC based on OCHA, 2019b, p. 15; RUV, 2019.

In the first semester (January–June) of 2019, the Defensoría del Pueblo registered 11,349 persons confined in 54 communities in Choco. According to government sources, the most severely affected communities are exclusively ethnic minority communities (Defensoria del Pueblo, 2019). This shows the different degrees of immobilisation: Those communities that are virtually completely cut off by armed groups and those whose access is restricted due to the presence of such groups. It also shows that there is a need to differentiate and disaggregate humanitarian needs from the bottom up.

## Politics of differentiating humanitarian needs

While immobilisation as such had already existed, the visibility and structure of those cases changed when the government redefined groups that claimed to have political motives as criminal armed gangs (*bandas criminales*—*bacrim* groups). With the end of demilitarised parastatal enclaves (under paramilitary or guerrilla rule), the official demobilisation of the paramilitary in 2006 and the Peace Treaty in 2016, politics no longer followed up the issue of immobilised communities. Humanitarian matters are always a political issue. To acknowledge a phenomenon like areas outside the reach of government control or the fact that there is a certain number of displaced persons always means to establish a fact and to admit



what could be seen as government failure.<sup>25</sup> The official interpretation of such cases is the result of political disputes that reveal claims of sovereignty.

In such a political climate, the challenge for humanitarian aid is to position itself and uphold its own interpretation of a situation. Even in countries where governments are seen as cooperative partners, such as Colombia, these questions are politically highly sensitive.<sup>26</sup> A problem is that the labels used for instance for armed groups—whether these are “terrorists”, “gangs” or other—have changed significantly over the past decades and are decisive for whether or not a situation is considered one of war or violent conflict—hence whether it is a humanitarian emergency or not. The question of how a particular conflict or group is labelled and evaluated—and whether a situation is categorised as a humanitarian emergency or displacement crisis—is all the more politically explosive as the sovereign tasks of the state are called into question, such as the monopoly on the use of force or the protection of the population or private property.

Colombia's recent history, for example, shows how strongly the political context determines the assessment of the causes of forced displacement and how this assessment, in turn, influences the situation itself. In the Caguan Process under President Pastrana (1998–2002), the FARC were granted a larger self-governing territory, and the group itself was

recognised as a political partner. Under President Uribe (2002–2010), the FARC were declared terrorists with whom one could not negotiate, while paramilitaries, according to official accounts, were consistently demobilised and dissolved. Under President Santos (2010–2018), the FARC were politically integrated, and partial political successes were achieved in talks with the ELN as representatives of certain areas and political demands (talks with experts 2017, cf. Bello Montes, 2008; Bouvier, 2009; Historica, 2015; Hörtnner, 2006; Sanchez Gomez, Salinas Abdala, Perez Trujillo, & Centro Nacional de Memoria Historica, 2015; Weiskopf et al., 2016).

The line of differentiation between political and criminal groups remains thin though. Groups, such as the EPL (Ejercito Popular de Liberacion), guerrilla<sup>27</sup> and AGC (Autodefensas Gaitanistas de Colombia a.k.a. Clan del Golfo a.k.a. Urabenos), paramilitaries that once negotiated with the government, were denied political legitimacy under the government of Uribe. Nowadays, political demands of such guerrilla and paramilitary groups are predominantly tactical (various expert interviews 2017–2018).<sup>28</sup> Labelling these groups and the operations against them as non-political, however, does not mean that the civilian population has less to worry about. On the contrary: Although the situation is warlike, people living in these areas are denied protection and help by the state.<sup>29</sup>

25 \ The reasons why figures are adjusted are manifold, but mostly connected with the fact that the underlying serious shortcomings and irregularities are to be concealed. Grievances such as armed conflicts, human rights violations, discrimination, land theft and crime are always a sign of a lack of state authority respectively poor governance. The author personally observed a case in Goma, DR Congo in 2014 that makes this particularly evident: According to the non-refoulement principle, refugees may only return voluntarily and in safety—when the conditions for a return have been met. In a blatant reversal of this principle, the government in Goma closed camps and forced inhabitants to return. This was meant to prove peace and security in the areas of destination (which remained outside government control), arguing that any return can only be voluntary and safe (see below).

26 \ The demand to be aware of difficulties in “balancing the development of good relationships with governments and obligations to raise vulnerable people's rights in the face of inequality, discrimination and abuses” (Fanning & Fullwood-Thomas, 2019, p. 41) is therefore given for humanitarian actors in all context (as I argue, this also includes dealing with UNHCR and other international organisations)—not only so-called rogue states.

27 \ The EPL used to be a nationwide guerrilla with political demands before (mostly) demobilising in 1991 to become a political party. After the political integration of the FARC in 2016, the competing EPL resurged and expanded their control over the Catatumbo area and into new parts of the country.

28 \ The relation between the FARC dissidents and criminal gangs (*bandas criminales-bacrim*) is not clear yet (Posada, 2018; Chaparro, 2019).

29 \ This phenomenon is not limited to Colombia. Similar examples can be found in North Kivu in DR Congo or in Tanzania-Burundi (Rudolf, forthcoming).

The military, in the Catatumbo area, for example, now uses a tactic of search and destroy, in which the soldiers mostly fly in with helicopters, carry out their mission and withdraw again.<sup>30</sup> The civilian population flees from these military actions into the surrounding mountains and returns after the fighting has subsided (interviews, video footage, Cucuta October 2017). The Catatumbo area is otherwise inaccessible in large parts. Communities living there are only occasionally supported by NGOs, the church and various international organisations. This case is first exemplary of the diversity of types of confinement—and of actors such as guerrilla and army that are causing it. Second, it also shows ideal-typically the role of politics in determining and differentiating humanitarian needs.

<sup>30</sup> \ This strategy can be analysed as a form of liquid warfare (Mutschler, 2016) and relates to thoughts on ungoverned spaces (Schetter, 2012).

## Confined communities

Humanitarian needs, national politics, military activities and the Peace Treaty cannot be analysed separately as a human rights defender from the region pointed out:

*We dreamt of peace, but here we do not see it anywhere. In a region of 300,000 inhabitants, we have currently over 12,000 soldiers [in 2019]. But their presence does not help. We see people threatened, murdered and displaced on a daily basis. The situation has not improved—it has worsened. Our dream of peace has turned into a nightmare. Every day there are confrontations. There are minefields. The FARC has taken up their arms again and returned to their old bases [in the area]. The situation is very complex, but it is a historical debt. There is no willingness of the government: The streets are broken, the schools are in no good shape, there is only one doctor for every 12,000 inhabitants. We can move, but when we leave our homes, we never know whether we will see our families back in the evening (interview Cucuta, October 2017; follow up telephone interview October 2019).*

The government insist that its operations are only against criminal groups, denies human rights violations, and sweeps human rights violations by the military under the carpet (CODHES, 2018; de Curra-Lugo, 2018; Kirby, Shannon, 2018; Munoz, 2015; ROZEMA, 2008; Sanchez Gomez et al., 2015; Sanchez, 2019; Segura & Mechoulam, 2017; Semana, 2019c; Vargas & Caruso, 2014).

Interpreting situations such as the one in Catatumbo as exclusively a problem of combating criminal gangs has two interrelated consequences: a) the lack of state services becomes less relevant and b) the resulting humanitarian emergency is overlooked. In other words, if analyses of violence are shifted from the context of structural deficits of the state into the sphere of individual fates, then violence becomes a private matter. The negative consequences of this policy of privatisation of security can be observed above all in the phenomena of *comunidades confinadas* and *fronteras invisibles* (invisible frontiers):<sup>31</sup> Humanitarian

support is largely denied to those affected due to a political assessment of the situation as a largely private issue.

Catatumbo is an example of the phenomenon of *comunidades confinadas* in rural areas. Persons who live in such isolated communities are under the control of armed groups. As mentioned, until a few years ago, groups such as the FARC, ELN and AUC (Autodefensas Unidas de Colombia) officially claimed to substitute the state. In these cases, they ‘facilitated’ (limited) access to health, tried to organise education and even improvised prisons—in other words, they provided a certain amount of security and order within the areas they occupied. Today, the focus is mostly on controlling transport routes, the entry and exit of persons, goods and information. With the de-politicisation mentioned above, the situation for those affected has de facto worsened (Cobb, 2019; OCHA, 2019b; Rojas Hernandez, 2018; Valenzuela, 2019).

The situation deteriorated because armed groups, paradoxically, continue to determine access to education, health or documents—even though they are no longer attempting to provide any services. These are significant limitations on movement and restrictions of access (see Figure 2). Between 2016 and 2018, according to OCHA (2019b, p. 15) and government (UMAIC) monitoring 3,979,825 people were affected by the restriction on access and mobility during 517 different occasions. The discrepancy between this and the above-mentioned number of 20,500 persons counted officially as completely confined (see Figure 1) underlines the need to scrutinise differences in degrees of confinement and immobility more in-depth (see below).

### Restrictions on access and mobility

The right to property, personal security and human rights are severely restricted in the communities that are counted as confined—yet also for a much wider range of persons who live in zones that are claimed by armed actors. In municipalities in the province of

<sup>31</sup> \ The term invisible frontiers describes the limits of gang territories that are not visibly marked. Even though not visible for outsiders, they are often more rigid than highly secured state borders. Trespass is often deadly (D'Aubuisson, 2017; Restrepo, 2006).

Cordoba, a former AUC centre, entire areas and large parts of the population south of Montería continue to be controlled by former paramilitaries, who now keep corridors free for drug trafficking. In Guaviare, former FARC dissidents—like those before them—often prevent indigenous people from leaving the area they control. In Catatumbo, north of Cucuta, the inhabitants are restricted in their freedom of movement and human rights by roadblocks and acts of war by the EPL, *bacrim* and the military. In the provinces of Choco and Narino, many communities in the ELN's retreat areas are completely cut off from the outside world (personal observations 2017, see below).

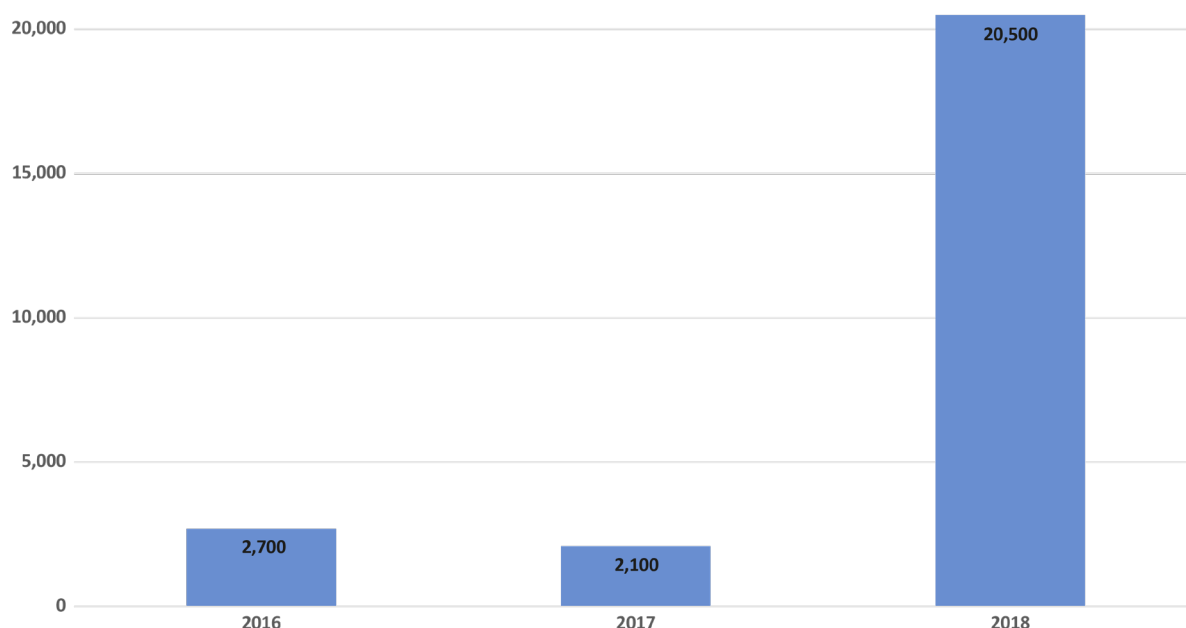
According to villagers who live in those areas, the only change they saw after the Peace Treaty was that the members of armed groups no longer wear uniforms and that it is increasingly difficult to distinguish which group they belong to. Since the conflict is not a classic military conflict, the frontlines are blurred. Alliances change, leadership changes, and even within families, it is not always clear who is

involved in or affected by criminal activities. The line between guerrilla, paramilitary, criminal and civilian groups is anything but clear. This also applies to their members. Individuals might move in and out of such groups or even change sides. Spatially, the actors are networked and able (or condemned) to find similar conditions in other parts of the country—demobilised FARC members are, for example, approached by criminal gangs from Medellin to work for them as bodyguards (interview, demobilisation camp Esperanza 2017).

Those groups, like the armed groups in southern Choco mentioned above, benefit from a widespread preference for fast money, a lack of income alternatives and little cohesion among the often relative newcomers, as a civil rights leader criticised: “The youths without opportunities go to the [armed] groups—even if their parents are against it. They [parents] are against it because the military sector just brings problems” (community leader, Primavera, November 2017). The community leader continues to

**Figure 2**

*Persons with restrictions on access and mobility*



©BICC based on OCHA, 2019b, p. 15.

explain that it is difficult to find work and secure a livelihood. Alternatives to criminal activities are rare:

*They closed the Pacifico mine a few years ago. We cannot sell our [agriculture] products. Transport is expensive. Nobody invests here. The government does not develop [infrastructure]. Storage is not possible and often the rice harvest cannot be dried (farmers in the Primavera area).*

One man points to dozens of rice bags stored under his neighbour's porch: "Look at how many bags she has. The price of rice is bad. We remain sat on the products. Besides, there is no mill for further processing" (group discussion, November 2017, Primavera area). The smallholders further explain that they try to diversify the agricultural products and grow corn, plantains, fruit or yucca.

While they lament that the government is not present, the absence of the central state offers numerous opportunities to trade. Farmers and traders operate without having to worry about official papers or government taxes. Depending on the arrangement with the armed actors in control, this can be advantageous. Yet, these economic advantages are accompanied by insecurity and immobility: "We cannot use our boats upriver as we do not have any papers [necessary to own or conduct a boat]." The confinement of those groups that are not counted among the 20,000 persons is, thus, relative. Many make a living by smuggling or trading illegal substances. This also shows that they have opportunities inside the area to make a living that are not given outside (November 2017, group interview with settlers in the San Juan River area). These examples illustrate that the impact of confinement on the everyday life of the persons affected is not always linked to spatial mobility or immobility.

## Persisting lack of protection

Staff from the Office for Social Ministry in the Roman Catholic Diocese Quibdo, the capital of Choco, explain that although there is a peace agreement, this is not noticeable in the region. After the demobilisation of the FARC, other groups took their place. "The armed conflict in Choco has worsened. Murders, the spread of anti-personnel mines and extortion have increased or at least not stopped" (Pastoral Social, Quibdo, November 2017). Social workers in Istmina underline this point when they explain why victims of violence do not want to return to their place of origin: "They miss it [the place of origin]. But none of the victims want to return, because the same people are there. The names [of the armed actors] have changed, nothing else" (Istmina, 28 November 2017).

Depending on the situation in the *comunidades confinados*—that is the intensity of the confrontation with the military or competing groups, for example—the armed groups decide preventively, and in case of doubt, against the civilian. The groups virtually regard these villages and their people as their private property: Children are forbidden to go to schools, the sick to access health care, private individuals to communicate externally. Communities that oppose the armed actors are left on their own. The murder of political activists (*lider sociales*) or village leaders is frequent, and most cases remain unresolved. Forced recruitment is common. Usually, one person per family has to be assigned to the local armed group. As mentioned above, the Colombian state is present in individual areas, such as the centre of Quibdo or Istmina, but cannot sufficiently secure the transport routes between these urban centres. Attacks, assaults and intimidations are frequent. The needs for schooling, healthcare, legal aid and other basic services, thus, remain largely unmet.

When, as in Cordoba, paramilitaries established a school within their control zone or when civilians could use the guerrilla medical services, the impacts on them were ambivalent: In both cases, the population became even more immobilised as better access to health or education also meant that they could no longer use its (prior) lack as a reason to leave the area. In Guaviare, a social worker recounted the case of a Nukak that showed how strongly personal, social and spatial relationships are restricted for people who live next to armed groups. The Nukak are an indigenous semi-nomadic group that lives in the national park of the same name in the Amazon region. The area is still a focus of guerrilla and *bacrim* activities. In this case, health reasons made it necessary for a Nukak to leave the area controlled by armed groups for the provincial capital. When he returned with a mobile phone that he had bought himself in the city, the suspicion of the armed group (FARC) was so great that he had to flee and has ever since not been able to join his tribe (interview Guaviare province, October 2017).

According to the research, it was typical for the areas with a high concentration of armed groups such as Choco, Guaviare, or Meta, that large parts of the farmers were settlers who had arrived quite recently—within the last generation—and stay relatively mobile. Like the farmers along the San Juan River, these settler communities were less tightly organised than, for example, established indigenous or farmer associations in other parts of the country (El Espectador, 2019). The lack of organisation on the political and inner-community level of these newcomer communities is a reason why armed groups often encounter little resistance—yet their mobility lowers the impact of confinement.<sup>32</sup>

Others, especially indigenous communities, are less mobile and more dependent on access to their land. The hopelessness or needs increase according to the extent to which discrimination criteria such as ethnicity (Afro-Colombian, indigenous), gender, age, etc. are laid on top of each other as my observations and the statistics show (cf. above).<sup>33</sup> Those cases that are completely excluded from any contact with the outside world are indigenous communities in areas that are considered the exclusive property of armed groups. Those examples show, in sum, that vulnerabilities and needs of confined communities converge while they vary significantly in how much community members are affected.

32 \ The fact that the regions in which new settlers, indigenous groups, *bacrim* and guerilla groups are found, coincide can be interpreted as a case in point for the argument on historic continuity made above.

33 \ Communities that are better organised than most newcomer-settler and Afro-descendant groups, such as the peace community of San Jose de Apartado (Antioquia), often suffer no less from the arbitrariness of neighbouring armed actors. Due to the lack of support from the Colombian government, these mostly indigenous people are cut off from the outside world, just as the villages that do not resist.



## Invisible borders of immobility

The situation in urban areas is similar. People are either confined in territories or networks by armed actors—and they are cut off aid because of the political assessment of the actors and the situation as an issue of private criminality. As mentioned above, areas with conditions as described above for the rural *comunidades confinadas* exist next to rather safe, residential urban areas. Without entering the so-called *ollas* [pot] and their surroundings, physical violence remains as invisible to the outsider as the invisible borderlines that define them. The strategies and practices of armed groups designed to control civilians in their territories are often congruent in urban and rural areas—despite very different forms of organisation and objectives: They run their dominions by way of protection payments, threats, murder, torture, extortion, forced recruitment and confiscation. These everyday realities have been defining the everyday life of communities in urban and rural areas for decades. They remain constant, even if and when individual actors or political situations change (Restrepo, 2006, p. 78). Just as in their rural counterparts, access to education, healthcare, jurisdiction and other infrastructure remains largely out of reach for inhabitants.

### Mobility of armed violence

When the Colombian Congress debated the progressive spread of youth gangs in urban areas in 2018, the congressmen established that their number throughout Colombia was over 500 (Ruiz, 2019). These *pandillas* are the link between local and translocal armed groups, between the micro- and the macro-traffic (sale of illegal substances) of the products they base their trade on. *Bacrim* and other armed groups finance themselves through all kinds of illegal activities and the youth gangs serve as their henchmen. The armed groups control—often being tolerated or in cooperation with state authorities—cultivation and retreat areas, transport routes and markets. Those who are inside such networks, be it because they support, tolerate or oppose these activities,

therefore see limited options to evade them. To escape a real threat, it is, therefore, as mentioned, not enough to change residence within a short distance or to move from the countryside to the city or vice versa.<sup>34</sup> Rural and urban situations largely overlap regarding the exposure to armed violence—and displacement thus does not necessarily offer protection.

“In Cali, they would not have been safe—it is too close to Buenaventura”, respondents explained the departure of relatives to Ecuador (interviews Cali, November 2017).<sup>35</sup> In other words, the circumstances someone flees from—due to justified fear, for example—catch up with the individual who pursues this strategy, and the violence follows the displaced persons to or expects them at their destination. This could be the general level of violence described in the introductory case from Potrero, Cali or it could be a specific risk where someone cannot escape a threat against his person as an individual. To complicate things, this means that immobility can also refer to a state of immobility of people in regard to social space. Differentiation of the degrees of immobilisation, thus, reveals that it is necessary to name the lack of protection or of human rights as the reason why it is problematic. This lack of rights is independent of spatial movement: Armed violence and threats are mobile and persist in situations of immobilisation as well as displacement or transit.

34 \ Many displaced persons can, therefore, be found in distant parts of the country or on the other side of the border in Venezuela or Ecuador (cf. Schmitz-Pranghe, 2018).

35 \ Respondents in Santa Fe de Antioquia or San Carlos recounted the same for Medellín. Some added that even Bogotá and Cali were still too close and that “people would know you”. Others, namely dispossessed farmers in the department Bolívar, did not report such problems. They believed that they were not exposed to any security risk even in nearby towns—as long as they did not go back or lay any claims on their lands. Those, however, who did return or filed for restitution of their former lands explained that they are still afraid today (Carmen de Bolívar, May 2017).

## Immobilisation as coercion

A look at the cases where individuals are able to move in geographical space but do not manage to cross (invisible) borders of social networks shows that they are confined in emergency situations even though they are able to move. The introductory case from Primavera, Choco, of Felix illustrates how any assessment of situations of vulnerability must also take the fact into account that needs might not necessarily cease to exist just because of physical distance to a hotspot of armed violence, for instance, or because time has passed since a violent incident occurred:<sup>36</sup> Vulnerabilities and needs recur—and have to be responded to—in different locations. Aid, therefore, needs to be designed in a longer-term and more holistic fashion that follows the needs and the people in need.

The degrees of immobilisation range from violence or threats to less immediately life-threatening yet no less vital issues like denied access to infrastructure and affect individuals in different ways. While some people in Primavera explained to be stuck, others were obviously able to walk away from the situation: “There were 80 families here, 30 left. Further down, only 20 of 70 families remained” (farmer, San Juan River area, November 2017). An analysis of immobility in situations of emergency must also distinguish between the ability, desire and need to move<sup>37</sup>—in contrast to general migration research, which examines “multiple constraints on opportunities for mobility” (Black & Collyer, 2014, p. 293). Emergency situations are characterised by high follow-up costs for personal rights, security and possessions.

In contrast to voluntary migration, involuntary immobilisation—just as other consequences of humanitarian emergencies such as forced displacement, dispossession or expulsion—are always characterised by a lack of a choice. Lack of choice, involuntariness and the resulting lack of perspective are in fact the very characteristics that define and determine a humanitarian emergency situation. They do not arise from a voluntary quest for improvement, but from coercion.<sup>38</sup> Coercion, in turn, appears in various degrees. The people in Catatumbo, for example, cannot escape from the control of the armed groups by fleeing to a nearby hill. The population can only escape acute military attacks for a short time by spatial movement of limited range. In this respect, they do not differ, for example, from people in war zones who find limited safety in churches, cellars or bunkers at short notice. They cannot move their belongings or livelihoods. This means that the degree of emergency, again, needs to be assessed with regard to needs and losses and not to movements.

Another decisive factor for the level of needs is the way of life of those affected. Migrant workers, nomads and peripatetic groups (non-pastoralist nomads) lose their livelihood through spatial immobilisation. Farmers who have no access to land or traders who have no access to the market also lose their livelihood. The gradations are as varied as the ways of life. The examples make it clear that immobilisation can lead to the same loss of access to social, economic and political mobility as forced displacement. If, for example, a home is destroyed or the residents have to leave the house because *pandillas* use the house as a transport hub, warehouse, shelter or checkpoint, the need for protection is affected differently. In other words, a need for protection exists in a variety of cases that are disguised and only recognisable by scrutinising the level of coercion involved.

<sup>36</sup> \ Cf. Black and Collyer’s analysis of being “Trapped on the move” (2014, pp. 287–305).

<sup>37</sup> \ Beyond the causes that force people to flee, the focus is thus directed to avoidance and coping strategies. Just as the inhabitants of Catatumbo observe the armed battles from a safe distance from a hill, farmers in today’s Romania (for instance in Rasnov) once built so-called peasant fortresses on nearby hills to escape the numerous raids. In contrast to the inhabitants of Catatumbo, the peasants of the Middle Ages were free to retreat to these fortified villages with their belongings. Both cases illustrate different degrees of voluntariness, restrictions and losses during escape which is discussed in the social-anthropological literature on avoidance/ evasion (see Eckert, 2004).

<sup>38</sup> \ The moment of voluntariness, which analytically distinguishes migration from forced displacement is, however, subjective on the actor level. Moments of coercion and choice moreover cannot always be clearly distinguished from each other. Even in situations that from the outside appear to have no alternative, the actors still have choices that must be included in the analysis.



## The humanitarian–development nexus in practice

The work of humanitarian and development actors, where these can access confined communities, illustrates existing needs, risks and ways in which the nexus is already being put into practice. On the one hand, humanitarian programmes have picked up on development needs. In Potrero, a group of women who are taking part in a start-up programme for small businesses offered by the Red Cross are happy about the opportunity offered to them although traditionally, the Red Cross is a humanitarian actor that would not engage in such programmes. A seamstress explained that her turnover has multiplied since then. She explains: “Since I started writing it down, it’s easier to control [the income and expenses]. I was able to buy a sewing machine”. Yet this benefit also incurs risks. To become a beneficiary of the programme, individuals have to register as victims, but many are afraid to denounce the perpetrators. One explained: “I did not file my case until I saw that it was no longer possible [to live without assistance]. I was very afraid”.

The fear of revenge actions stems from personal experiences, as she goes on to explain:

*They kill people and you know why. They decapitated many with chainsaws. I dreamt about it and had to see a psychologist. They cut people into pieces. I saw it—and I remember. A lot of things happened here (Cali, May 2017).*

One of the reasons why the implementation of laws for reparation and reconciliation remains difficult is related to the fact that victims have been experiencing for years how perpetrators are de facto immune to persecution and that the personal risk for witnesses is high.<sup>39</sup> This case demonstrates how a humanitarian actor can secure access to confined communities and provide much-needed support which is normally reserved for developmental actors.

In Cordoba and Guaviare, development actors such as the GIZ have also extended the range of their activities to humanitarian work to meet the needs for schooling, healthcare, legal aid and basic services in confined communities. In San Jose de Guaviare, for example, they provided training for government staff and organised workshops to facilitate dialogue between the government and the Nukak to improve their humanitarian emergency situation. They also facilitated dialogue between other indigenous communities and local authorities and stepped in with support wherever these authorities failed to provide basic services. In the case of Cordoba, humanitarian needs for the confined communities could only be met by the GIZ because as a development actor, their programmes did not officially address those humanitarian needs. The official goal of the projects was to improve access to livelihood activities for the local youth. They thus framed the issue not as one stemming from confinement, but rather as one of regional underdevelopment. This way, they were permitted access by armed groups in control of the area because these could save face. Humanitarian actors were denied access because this was irreconcilable with the armed groups’ narrative (observations May 2017).

39 \ The discrimination of those who report a crime is another reason why few complaints are filed. Victims (*victimias*) and perpetrators (*victimarios*) are often equated, and people often distance themselves from them. The opinion that the victims are to be blamed for criminal acts is widespread and reflected in the phrase “*dar papaya*”—which means as much as giving someone an opportunity to take advantage of you or abuse you.

## Conclusion: Transcending traditional divisions

The cases presented here make clear that development and humanitarian analyses of the extent and consequences of escape and expulsion must take the political context into account and make it their own subject.<sup>40</sup> In each individual case, it can be seen that the state, interested parties and humanitarian organisations always pursue their own interests first. This leads to a politicisation of the question under what circumstances a person qualifies as eligible for aid, as without a humanitarian emergency, there is no aid. This is anything but an innovative finding—the crucial point is to find a control mechanism for this practice. First, both humanitarian and development actors should revise their indicators for determining the need for assistance in emergencies of displacement by including confined communities. Second, the humanitarian-development nexus policy can be used to assure that the efficiency of assessing and addressing needs is cross- and double-checked to avoid gaps.

### Determining needs for assistance

The presented empirical case “The Peace Treaty in Colombia” shows effects that are diametrically opposed to the population’s need for protection. While the security situation (attacks, assaults, collateral damage caused by military actions) in urban and rural areas in the centre of the country tended to improve, the situation has deteriorated in many peripheral communities. A subsequent development towards more peace cannot be observed. On the contrary, the consolidation and continued coexistence of both a constitutional state on the one hand and one outside the rule of law on the other<sup>41</sup> is a reality in Colombia even despite the 2016 Peace Treaty (Piccone, 2019).

In an area where impunity, threats, indictment and corruption prevail, the need for protection against violence and threats is rarely acknowledged—it is literally suicidal to denounce the perpetrator, as is shown in the number of murdered human rights activists (France24, 2018; KienyKe, 2018) and also reported on an individual level. Colombia’s example on the impact of criminal violence on forced migration or return shows that neither figures on those who flee nor on threats or acts of violence are sufficient indicators of the need for protection.<sup>42</sup> If they are prevented from fleeing, as in confined communities, still, they have the same need for protection as in cases where they have managed to flee. The need for protection might de facto be higher than that of displaced persons because they cannot escape.

The case studies, in sum, show that the conditions that make refugee and IDP movement a humanitarian emergency also apply to persons who are denied this strategy of avoidance. From a humanitarian point of view, the needs of displaced persons including those suffering forced immobility must be considered, analysed and answered.<sup>43</sup> The usual practice of determining needs for assistance depending on difficulties of access or the delayed presence of humanitarian actors solely by the characteristic of ex-post displacement has decisive disadvantages. This procedure cannot ensure that a need for assistance is always identified. In this case, aid is only used when it is requested, that is when those affected are caught by the radar of the aid organisations, for instance when they appear beyond international borders, outside inaccessible zones or in reception camps.

40 \ Including practice, mandate and legal definition of humanitarian aid—whether by the United Nations, national governments or other political or legal institutions—as a moment of analysis rather than a binding criterion for analysis (see above).

41 \ Rule of law is to be distinguished from lawless insofar as that rules also prevail in such areas. This ranges from an ad hoc law of the strongest in *pandilla* groups to the parastatal jurisdiction of the FARC.

42 \ As long as the causes of forced migration persist, the return process is fragmented. According to our observations, displaced persons return only sporadically, or temporarily or partially (San Carlos, Santa Fe, Carmen de Bolívar, May 2017). Reasons for this are not only the lack of guarantees for personal security, but also questions such as trauma, reconciliation, coming to terms with what happened, continued discrimination, or failure to return land. This means that even where an individual returned, it is not guaranteed that all conditions for voluntary return are met (see above).

43 \ So far, as Black and Collyer, among others, criticise, the neediness of this group (like that of the IDPs) in comparison to refugees is rarely considered “[They] are rarely acknowledged or ever addressed” (2014, p. 287).

## Practising the humanitarian–development nexus

Due to its longer-time commitment, I suggest that development aid is in a better position to prevent emergencies and to consolidate resilience than humanitarian aid, simply because the latter will only arrive after the emergency has occurred. It is also better positioned to respond in a *more holistic way to people's needs*, whereby it should proactively seek to extend short-term humanitarian relief for groups currently left out. To this end, more comprehensive studies are needed first which, along with other themes, includes the need for better qualitative information on the situation of trapped communities (Black & Collyer, 2014, p. 300). In a number of cases observed in Colombia, humanitarian and development aid actors had identified the same needs. To provide the necessary support, they stretched their respective mandates and crossed their respective traditional project boundaries: Development aid actors such as the GIZ already engage—sometimes as the only actor in place—in humanitarian projects with confined communities and people with restricted movement in Cordoba, Guaviare and Catatumbo (see above). The International Committee of the Red Cross (ICRC) as a classical humanitarian actor pioneered into a traditional field of development aid by setting up quite a successful programme to advise, train, promote and supervise victims as qualified workers, for instance in Cali (see above).

Reflecting on how to put the humanitarian–development nexus into practice, actors paid most attention to camp populations in protracted refugee situations (PRS). The need to improve (indeed to overcome) the situation of refugees in camps and settlements remains fundamental, but development aid could maximise synergy potentials by focusing on those impacts of armed conflict that are not yet addressed by humanitarian aid sufficiently. The cases of urban and rural confined communities in areas such as Choco, Cali and Catatumbo show first that more attention needs to be paid to such humanitarian emergencies that are out of sight, and second that

humanitarian and development aid often overlap and in a variety of cases already complement each other. The edge that development aid has over humanitarian aid is the ability to engage in preventive and longer-term projects. Instead of bolstering the mainstream activities of humanitarian actors, synergies arise where development aid redefines the area of humanitarian needs in regard to its objectives and instruments.

This *Paper* illustrated this point by examining one area that traditional refugee aid does not address: Persons who are forcibly immobilised show similar characteristics, have similar needs and need similar support as IDPs or refugees, even though they are not spatially displaced. One particular need is that of protection. It has been demonstrated that the omission of forced immobility and consequential exclusionary practices are partly due to the political economy of the refugee regime. This static conceptualisation of crises, as the Colombian case shows, cannot adequately address the needs arising from confinement, restricted mobility and displacement. The argument of this *Paper*, thus, is to replace the classical concept of spatial displacement with a model of displacement that includes both *in situ* immobilised persons (on the spot) and *ex situ* immobilised persons (immobilised after initial movement in space).

The described cases indicated two seemingly contradictory phenomena: On the one hand, displacement is just a variation of every citizen's right to protection. Legal scholars, for example, argue that the Guiding Principles for internal displacement do not entitle IDPs to any (extra) rights that would differ from the human rights they already possess as citizens (Hathaway, 2007, p. 359). On the other hand, the cases demonstrate that there is a range of commonalities across situations usually associated with forced displacement. The case of confined communities illustrates how specific constellations of armed conflict, combined with a lack of access to protection result in particular emergencies that stretch across different categories such as refugees, IDPs, or forcibly immobilised persons.

This means first, that most measures (including procedures, tools, staff expertise) used to address displaced persons could easily and successfully be transferred to immobilised persons respectively persons with restricted mobility. Extending programmes designed to address basic services such as health, education, infrastructure, housing, land and property or legal aid issues after displacement to situations of confined and restricted communities would only require minor to no modifications. A needs-based approach (Rudolf, 2019b) would indeed not require any changes in displacement aid at all. Existing resources could thereby be used efficiently. A humanitarian-development nexus policy would, also, respond “more effectively and holistically to people’s needs” (Fanning & Fullwood-Thomas, 2019, p. 6), if it starts with the humanitarian principle to uphold human dignity to then proceed to situations of displacement and dispossession, and to then address more specific needs—rather than doing it the other way round.

The Colombian case, finally, demonstrates that this is possible. As is evident in (cited) reports, projects and advocacy work of national respectively international NGOs and government bodies like the *defensoria*, Colombia’s aid community, is addressing the problems described above—and ahead of headquarters, donors and policymakers. The practitioners on the ground are increasingly cooperating as envisioned in the humanitarian-development nexus policy and engaging in innovative projects that transcend their respective traditional mandates. The challenge aid projects are facing in dealing with these type of situations are rather related to the concepts that reign in their headquarters respectively their governments.

## LIST OF ACRONYMS AND ABBREVIATIONS

AGC	Autodefensas Gaitanistas de Colombia	AGC
AUC	Autodefensas Unidas de Colombia	AUC
BICC	Bonn International Center for Conversion	BICC
BMZ	German Federal Ministry for Economic Cooperation and Development	BMZ
CCN	Comision de Conciliacion Nacional	CCN
CRRF	Comprehensive Refugee Response Framework	CRRF
DP	Displaced person	IDP
ELN	Ejercito de Liberacion Nacional	ELN
EPL	Ejercito Popular de Liberacion	EPL
FARC	Fuerzas Armadas Revolucionarias de Colombia	FARC
GCR	Global Compact on Refugees	GCR
GIZ	Gesellschaft für internationale Zusammenarbeit	GIZ
ICRC	International Committee of the Red Cross	ICRC
IDMC	Internal Displacement Monitoring Centre	IDMC
IDP	Internally displaced person	IDP
IRR	Impoverishment Risk and Reconstruction Model	IRR
JEP	Jurisdiccion Especial para la Paz	JEP
MSF	Medecins Sans Frontieres	MSF
NGO	Non-government organisation	NGO
OCHA	UN Office for the Coordination of Humanitarian Affairs	OCHA
PDS	Protracted displacement situation	PDS
PRS	Protraced refugee situation	PRS
UARIV	Unidad para la Atencion y la Reparacion Integral a las Victimas	UARIV
UNHCR	United Nations High Commissioner for Refugees	UNHCR

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